

REMARKS

Claims 1-14 are pending in this application. Amendments are proposed herein canceling claims 3 and 13 and amending claims 1, 6, 7, 8, 9, 10 and 12. Upon entry of these amendments, claims 1, 2, 4-12 and 14 will be pending.

In the amendments to claims 1, 6, 7, 9, 10 and 12, the term “pesticide” has generally been replaced with – herbicide or microbicide–. Support for this amendment may be found in the specification on page 12, lines 2-5 and in claims 3 and 13, which are canceled by this amendment.

The amendment to claim 8 corrects a typographical omission of a period.

Claims 11-14 are objected to under 37 CFR 1.75(c) (Office action point I).

The rejection of claims 1-7 under 35 U.S.C. 103(a) is maintained. New claims 8-14 are also rejected (Office action point II).

In the Advisory action dated May 5, 2003, the Examiner addresses the request for reconsideration made in the Response under 37 CFR 1.116 dated April 3, 2003. The Examiner states that: “The unexpected data provided is for a couple of pesticides (herbicides, insecticides, fungicides). However, the claim is to the broad term “pesticide”. Claims rewritten in the scope of the unexpected data are allowable.”

Applicants have here proposed amendments to the present claims replacing the term “pesticide” with –herbicide or microbicide–, and submit that the claims limited in this manner are within the scope of the “unexpected results” data presented in the specification.

Reconsideration and withdrawal of the rejections and objections is therefore respectfully requested.

Supplemental Amendment under 37 CFR 1.116
Naoyo TAKAHASHI et al.

Serial No. 09/926,064
Docket No. 011047

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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